

EXHIBIT 1

General Civil and Domestic Relations Case Filing Information Form

☒ Superior or ☐ State Court of Cobb County23109373
LEONARD - 53

DEC 04, 2023 04:29 PM

For Clerk Use Only

Date Filed 12-04-2023Case Number 23109373

MM-DD-YYYY

Connie Taylor, Clerk of Superior Court
Cobb County, Georgia

Plaintiff(s)

Cobb County, Georgia

Last First Middle I. Suffix Prefix

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Defendant(s)

Tyler Technologies, Inc.

Last First Middle I. Suffix Prefix

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Last First Middle I. Suffix Prefix

Plaintiff's Attorney Cook, Mr. David R JrBar Number 435130Self-Represented ☐

Check one case type and, if applicable, one sub-type in one box.

General Civil Cases

- ☐ Automobile Tort
- ☐ Civil Appeal
- ☒ Contract
- ☐ Contempt/Modification/Other
- ☐ Post-Judgment
- ☐ Garnishment
- ☐ General Tort
- ☐ Habeas Corpus
- ☐ Injunction/Mandamus/Other Writ
- ☐ Landlord/Tenant
- ☐ Medical Malpractice Tort
- ☐ Product Liability Tort
- ☐ Real Property
- ☐ Restraining Petition
- ☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
- ☐ Contempt
- ☐ Non-payment of child support, medical support, or alimony
- ☐ Dissolution/Divorce/Separate Maintenance/Alimony
- ☐ Family Violence Petition
- ☐ Modification
- ☐ Custody/Parenting Time/Visitation
- ☐ Paternity/Legitimation
- ☐ Support – IV-D
- ☐ Support – Private (non-IV-D)
- ☐ Other Domestic Relations

- ☐ Check if the action is related to another action(s) pending or previously pending in this court involving some or all of the same parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number

Case Number

- ☒ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in O.C.G.A. § 9-11-7.1.

- ☐ Is a foreign language or sign-language interpreter needed in this case? If so, provide the language(s) required.

Language(s) Required

- ☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

COBB COUNTY, GEORGIA,

Plaintiff,

v.

TYLER TECHNOLOGIES, INC.,

Defendant.

CIVIL ACTION FILE NO.

COMPLAINT

Plaintiff Cobb County, Georgia, by and through the undersigned counsel, files this Complaint against Defendant Tyler Technologies, Inc. ("Tyler Technologies").

PARTIES, JURISDICTION, AND VENUE

1. Cobb County is a political subdivision of the State of Georgia and is subject to the jurisdiction and venue of this Court.
2. Tyler Technologies is a foreign profit corporation organized and existing under the laws of the state of Delaware; is authorized to transact business in Georgia; has breached the parties' contract in Georgia; and may be served through its registered agent, Corporation Service Company, at its registered office, 3675 Crestwood Parkway, Suite 350, Duluth, Gwinnett County, Georgia 30096. This Court has personal jurisdiction over Tyler Technologies and subject-matter jurisdiction over the causes of action set forth herein.
3. Upon service of summons and this Complaint on the registered agent for Tyler Technologies, this Court will have personal jurisdiction over Tyler Technologies.

4. Venue is proper in this Court on the grounds that Tyler Technologies conducts substantial business in Cobb County, Georgia, and because a substantial portion of the conduct complained of herein occurred in this County. In addition, venue is proper in this Court pursuant to a contractual venue-selection clause.

FACTUAL BACKGROUND

5. On July 13, 2018, Cobb County issued a Request for Proposal for a configurable, “off-the-shelf” Business License Software System for the Cobb County Business License Division, including 180 functional requirements.

6. On September 13, 2018, in response to the Request for Proposal, Tyler Technologies submitted a proposal, which indicated it would satisfy 178 functional requirements.

7. On or about July 1, 2020, Cobb County entered into a License and Services Agreement with Tyler Technologies (“Contract”) to license “off-the-shelf” software products for its Business License Division (the “Product”). The total award, as amended, was three million, nine hundred twenty-three thousand, eight hundred and fifty-four dollars (\$3,923,854.00).

8. The Contract required Tyler Technologies to satisfy all 178 functional requirements for the Business License Software System set forth in the Request for Proposals.

9. Tyler Technologies was required to configure and implement the Business License Software System within eighteen months.

10. Cobb County and its personnel undertook extensive effort to inform Tyler Technologies about its existing programs and processes, with which Tyler Technologies’ software would integrate.

11. Throughout 2021, Tyler Technologies replaced its staff, which resulted in significant delay and required Cobb County to re-educate Tyler Technologies about the County's programs and processes.

12. As of September 20, 2022, twenty-eight months after the Contract was executed, Tyler Technologies had failed to satisfy the vast majority of the functional requirements of the Contract despite Cobb County regularly escalating issues to Tyler Technologies that the software would not do as Cobb County needed.

13. On that same date, Cobb County officially notified Tyler Technologies about the deficiencies and defects in Tyler Technologies' performance and software. Even though no functional software had been installed or implemented, Cobb County had paid 50% of the Contract, which amounted to \$1,863,592.32.

14. Cobb County notified Tyler Technologies of the defects, and Tyler Technologies informed Cobb County its requested functions were not available. When escalating issues about software functionality required by the Contract, Cobb County was repeatedly told by Tyler Technologies that any customization would require additional time and money.

15. On November 7, 2022, Cobb County sent a Notice of Default to Tyler Technologies for unresolved defects because the software failed to satisfy functional requirements, including but not limited to: (1) penalties and interest; (2) license application and renewal; (3) partial payments; (4) payment hierarchy; (5) overpayments and refunds; (6) mailed renewals; (7) financial system interface; and (8) accuracy of business license history.

16. In the Notice of Default, Cobb County also notified Tyler Technologies of the following missing software: (1) Tyler Content Manager Enterprise Edition (TCM); (2) Socrata Citizen Connect; and (3) EnerGov Citizen Self Service. Further, Cobb County notified Tyler Technologies

of the following missing essential integrations: (1) iasWorld; (2) MobileEyes; (3) CGI Financials; (4) License Review Board; (5) Mavro and OnBase; and (6) Project View and BidExpress.

17. Cobb County has availed itself of the Dispute Resolution requirement of Section I(3) of the Contract.

18. All conditions precedent to the bringing of this action have been satisfied, waived, or excused.

COUNT I – BREACH OF CONTRACT

19. Cobb County incorporates by reference, as if fully set forth herein, the allegations set forth in Paragraphs 5 through 18 of this Complaint.

20. As a result of Tyler Technologies' defects, inconsistency of staff, failure to implement the Contract, and other failures, Tyler Technologies has materially breached the Contract.

21. Tyler Technologies' material breach of the Contract has caused Cobb County to incur damages in the amount of \$1,863,592.32, plus interest, attorney fees, and cost of litigation. Under O.C.G.A. § 13-6-11, Cobb County is entitled to recover its attorney fees.

WHEREFORE, Cobb County prays for relief as follows:

1. That a judgment on this Complaint be entered against Tyler Technologies;
2. That Cobb County recover all damages asserted herein and as may be demonstrated at trial, including pre-judgment and post-judgment interest thereon;
3. That Cobb County be awarded its attorney fees and cost of litigation in connection with this civil action; and
4. Any such other amounts and relief deemed appropriate by this Court.

This ____ day of December 2023.

Respectfully submitted,

/s/ David R. Cook

David R. Cook Jr.

Georgia Bar No. 435130

cook@ahclaw.com

Kelly M. Henning

Georgia Bar No.: 586465

henning@ahclaw.com

AUTRY, HALL & COOK, LLP
3330 Cumberland Blvd., Suite 185
Atlanta, Georgia 30339
(770) 818-4442
Attorneys for Plaintiff Cobb County


H. William Rowling, Jr., County Attorney
Georgia Bar No. 617225
H.William.Rowling@CobbCounty.org

Lauren S. Bruce, Assistant County Attorney
Georgia Bar No. 796642
Lauren.Bruce@Cobb County.org

Kelly J. Long Pridgen, Senior Associate
County Attorney
Georgia Bar No. 587945
Kelly.Pridgen@CobbCounty.org

COBB COUNTY ATTORNEY'S OFFICE
100 Cherokee Street, Suite 350
Marietta, GA 30090
770-528-4000 (phone)
770-528-4010 (facsimile)
Attorneys for Plaintiff Cobb County

**SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA**

Case 23-165433-CV
FILED IN OFFICE
CLERK OF SUPERIOR COURT
COBB COUNTY, GEORGIA
23109373
LEONARD - 53
DEC 04, 2023 04:29 PM

Connie Taylor, Clerk of Superior Court
Cobb County, Georgia

CIVIL ACTION NUMBER 23109373

\$214.00 COST PAID

Cobb County, Georgia

PLAINTIFF

VS.

Tyler Technologies, Inc.

DEFENDANT

SUMMONS

TO: TYLER TECHNOLOGIES, INC.

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

**David R Cook, Jr.
Autry, Hall and Cook, LLP
3330 Cumberland Blvd
Suite 185
Atlanta, Georgia 30339**

an answer to the complaint which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 4th day of December, 2023.

Clerk of Superior Court



Connie Taylor, Clerk of Superior Court
Cobb County, Georgia

DISCLOSURE STATEMENT
CLERK OF SUPERIOR COURT

CASE NUMBER 23109373

Cobb County, Georgia;

Plaintiff

Vs.

Tyler Technologies, Inc.;

Defendant

TYPE OF ACTION

- | | |
|---|-----------------------------------|
| <input type="radio"/> Divorce without Agreement Attached | <input type="radio"/> URESA |
| <input type="radio"/> Divorce with Agreement Attached | <input type="radio"/> Name Change |
| <input type="radio"/> Domestic Relations | <input type="radio"/> Other |
| <input checked="" type="radio"/> Damages Arising out of Contract | <input type="radio"/> Recusal |
| <input type="radio"/> Damages Arising out of Tort | <input type="radio"/> Adoption |
| <input type="radio"/> Condemnation | |
| <input type="radio"/> Equity | |
| <input type="radio"/> Zoning – County Ordinance Violations (i.e., Injunctive Relief-Zoning) | |
| <input type="radio"/> Zoning Appeals (denovo) | |
| <input type="radio"/> Appeal, Including denovo appeal – excluding Zoning | |

PREVIOUS RELATED CASES

Does this case involve substantially the same parties, or substantially the same subject matter, or substantially the same factual issues, as any other case filed in this court (Whether pending simultaneously or not)?

☒ NO

☐ YES – If yes, please fill out the following:

1. Case # _____

2. Parties _____

3. Assigned Judge _____

4. Is this case still pending? ☐ Yes ☐ No

5. Brief description of similarities:

/S/ Cook, Mr. David R Jr

Attorney or Party Filing Suit

Case 1:24-cv-00045-LMM Document 1-1 Filed 01/03/24 Page 10 of 16
2023-0167014-CV
FILED IN OFFICE
CLERK OF SUPERIOR COURT
COBB COUNTY, GEORGIA
23109373
LEONARD - 53
DEC 07, 2023 11:12 AM
Superior Court

AFFIDAVIT OF SERVICE

State of Georgia

County of Cobb

Case Number: 23109373

Plaintiff:
COBB COUNTY, GEORGIA

vs.

Defendant:
TYLER TECHNOLOGIES, INC

Received by Veritext Legal Solutions on the 5th day of December, 2023 at 4:21 pm to be served on **Tyler Technologies, Inc c/o CAPITOL CORPORATE SERVICES INC REGISTERED AGENT, 3675 Crestwood Parkway, Suite 350, Duluth, GA 30096.**

I, Kimberly Greenway, being duly sworn, depose and say that on the **6th day of December, 2023 at 12:32 pm, I:**

served **Tyler Technologies, Inc c/o CAPITOL CORPORATE SERVICES INC REGISTERED AGENT** by personally serving **Nicole Williams, Intake specialist** located at **3675 Crestwood Parkway, Suite 350, Duluth, GA 30096 with: SUMMONS; COMPLAINT; GENERAL CIVIL AND DOMESTIC RELATIONS CASE FILING INFORMATION FORM; DISCLOSURE STATEMENT.**

Description of Person Served: Age: 50, Sex: F, Race/Skin Color: Caucasian, Height: 5'0", Weight: 160, Hair: Light Brown, Glasses: Y

I certify that I am over the age of 18, have no interest in the above action.

Subscribed and Sworn to before me on the 6th day of December, 2023 by the affiant who is personally known to me.

NOTARY PUBLIC




Kimberly Greenway
GCPS #206

Veritext Legal Solutions
633 E. Colonial Drive
Orlando, GA 32803
(800) 275-7991

Our Job Serial Number: KGS-2023007524
Ref: 6347222

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

COBB COUNTY, GEORGIA

Plaintiff,

v.

TYLER TECHNOLOGIES, INC.,

Defendant.

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CIVIL ACTION
FILE NO. 23109373

ENTRY OF APPEARANCE

COMES NOW, Lauren S. Bruce, Cobb County Attorney's Office, and notifies the Court of her entry of appearance as counsel on behalf of Plaintiff Cobb County, Georgia in this action. The undersigned counsel requests that notice of all court appearances, motions, pleadings, and filings be served on the undersigned.

Respectfully submitted this 15th day of December 2023.

COBB COUNTY ATTORNEY'S OFFICE
Attorney for Plaintiff

By: /s/Lauren S. Bruce
LAUREN S. BRUCE
Assistant County Attorney
State Bar No. 796642

100 Cherokee Street, Suite 350
Marietta, GA 30090
Phone: (770)528-4000
Fax: (770)528-4010
Lauren.Bruce@cobbcounty.org

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

COBB COUNTY, GEORGIA

Plaintiff,

v.

TYLER TECHNOLOGIES, INC.,

Defendant.

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CIVIL ACTION

FILE NO. 23109373

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed this **ENTRY OF APPEARANCE** using the Peach Court System which will automatically send email notifications of such filing to the following attorney of record:

Robert C. Khayat, Jr.
KHAYAT LAW FIRM
75 Fourteenth Street, NE, Suite 2750
Atlanta, Georgia 30309

This 15th day of December, 2023.

COBB COUNTY ATTORNEY'S OFFICE
Attorney for Plaintiff

By: /s/Lauren S. Bruce
LAUREN S. BRUCE
Assistant County Attorney
State Bar No. 796642

100 Cherokee Street, Suite 350
Marietta, GA 30090
Phone: (770)528-4000
Fax: (770)528-4010
Lauren.Bruce@cobbcounty.org

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

COBB COUNTY, GEORGIA

Plaintiff,

v.

TYLER TECHNOLOGIES, INC.,

Defendant.

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CIVIL ACTION
FILE NO. 23109373

ENTRY OF APPEARANCE

COMES NOW, Kelly J. L. Pridgen, Cobb County Attorney's Office, and notifies the Court of her entry of appearance as counsel on behalf of Plaintiff Cobb County, Georgia in this action. The undersigned counsel requests that notice of all court appearances, motions, pleadings, and filings be served on the undersigned.

Respectfully submitted this 15th day of December 2023.

COBB COUNTY ATTORNEY'S OFFICE
Attorney for Plaintiff

By: /s/Kelly J. L. Pridgen
KELLY J. L. PRIDGEN
Senior Associate County Attorney
State Bar No. 587945

100 Cherokee Street, Suite 350
Marietta, GA 30090
Phone: (770)528-4000
Fax: (770)528-4010
Kelly.Pridgen@cobbcounty.org

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

COBB COUNTY, GEORGIA

Plaintiff,

v.

TYLER TECHNOLOGIES, INC.,

Defendant.

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CIVIL ACTION

FILE NO. 23109373

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I hereby certify that on this day I electronically filed this **ENTRY OF APPEARANCE** using the Peach Court System which will automatically send email notifications of such filing to the following attorney of record:

Robert C. Khayat, Jr.
KHAYAT LAW FIRM
75 Fourteenth Street, NE, Suite 2750
Atlanta, Georgia 30309

This 15th day of December, 2023.

COBB COUNTY ATTORNEY'S OFFICE
Attorney for Plaintiff

By: /s/Kelly J. L. Pridgen
KELLY J. L. PRIDGEN
Senior Associate County Attorney
State Bar No. 587945

100 Cherokee Street, Suite 350
Marietta, GA 30090
Phone: (770)528-4000
Fax: (770)528-4010
Kelly.Pridgen@cobbcounty.org

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

COBB COUNTY, GEORGIA

Plaintiff,

v.

TYLER TECHNOLOGIES, INC.,

Defendant.

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CIVIL ACTION
FILE NO. 23109373

ENTRY OF APPEARANCE

COMES NOW, H. William Rowling, Jr., Cobb County Attorney's Office, and notifies the Court of his entry of appearance as counsel on behalf of Plaintiff Cobb County, Georgia in this action. The undersigned counsel requests that notice of all court appearances, motions, pleadings, and filings be served on the undersigned.

Respectfully submitted this 15th day of December 2023.

COBB COUNTY ATTORNEY'S OFFICE
Attorney for Plaintiff

By: /s/H. William Rowling, Jr.
H. WILLIAM ROWLING, JR.
County Attorney
State Bar No. 617225

100 Cherokee Street, Suite 350
Marietta, GA 30090
Phone: (770)528-4000
Fax: (770)528-4010
H.William.Rowling@cobbcounty.org

IN THE SUPERIOR COURT OF COBB COUNTY
STATE OF GEORGIA

COBB COUNTY, GEORGIA

Plaintiff,

v.

TYLER TECHNOLOGIES, INC.,

Defendant.

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CIVIL ACTION

FILE NO. 23109373

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed this **ENTRY OF APPEARANCE** using the Peach Court System which will automatically send email notifications of such filing to the following attorney of record:

Robert C. Khayat, Jr.
KHAYAT LAW FIRM
75 Fourteenth Street, NE, Suite 2750
Atlanta, Georgia 30309

This 15th day of December, 2023.

COBB COUNTY ATTORNEY'S OFFICE
Attorney for Plaintiff

By: /s/H. William Rowling, Jr.
H. WILLIAM ROWLING, JR.
County Attorney
State Bar No. 617225

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